



# California Regional Water Quality Control Board

## Santa Ana Region



Linda S. Adams  
Secretary for Environmental  
Protection

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Arnold Schwarzenegger  
Governor

## AGENDA ANNOUNCEMENT

### REGIONAL BOARD MEETING

Friday, September 7, 2007 at 9:00 A.M.  
City of Loma Linda  
City Council Chambers  
25541 Barton Road  
Loma Linda, CA

#### NOTICE

Changes and postponements that may occur to this agenda will be placed on our website and automatically forwarded to those who subscribe to our electronic mailing list. Anyone wishing to subscribe to our electronic agenda mailing list may do so, as follows: go to [www.waterboards.ca.gov/santaana/](http://www.waterboards.ca.gov/santaana/) and choose "Subscribe to Electronic Mailing Lists" from the homepage. Those who are not subscribers should visit our website prior to the board meeting date.

Supporting documents for agenda items are now posted on our website at least 7 days prior to the scheduled meeting. To view or download the documentation, go to [www.waterboards.ca.gov/santaana/](http://www.waterboards.ca.gov/santaana/) and select the item of interest.

1. **Introductions**
2. **Public Forum** — Any person may address the Board at the commencement of the meeting on any matter within the Regional Board's jurisdiction and not related to an item, which is to be considered separately. The Regional Board Chair requests that each person addressing the Regional Board observe a three-minute time limit.
3. **Approval of the Minutes of the Regular Board Meeting of June 29, 2007.**  
{Felipa Carrillo 951/782-3285 [fcarrillo@waterboards.ca.gov](mailto:fcarrillo@waterboards.ca.gov)}
4. **Consideration of Consent Calendar Items.** Items marked with an asterisk (\*) are expected to be routine and non-controversial. The Regional Board will be asked to approve these items at one time without discussion. If any interested party, Board Member or staff requests that an item be removed from the calendar, it will be taken up in the order shown.
- \*5. **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement** -  
Thomas and Lucille Hightower, 19191 Ontario Avenue, Riverside, Riverside County – APN 266-293-002  
{Jun Martinez 951/782-3285 [jmartinez@waterboards.ca.gov](mailto:jmartinez@waterboards.ca.gov)}

- \*6. **Renewal of Waiver of Waste Discharge Requirements For Specific Types Of Discharges -**  
The Board will consider adoption of a resolution for the renewal of waiver of waste discharge requirements for specific types of discharges to land that have no significant adverse effects on waters of the State provided certain conditions are met.  
{Jun Martinez 951/782-3258 [jmartirez@waterboards.ca.gov](mailto:jmartirez@waterboards.ca.gov)} Resolution No. R8-2007-0036
- \*7. **Amendment of Order No. 98-3, Waste Discharge Requirements for the City of Corona Wastewater Treatment Plant No. 2, Riverside County** – Amendment to include limits based on the revised water quality objectives for total dissolved solids in the amended Basin Plan.  
{Jun Martinez 951/782-3258 [jmartirez@waterboards.ca.gov](mailto:jmartirez@waterboards.ca.gov)} Order No. R8-2007-0052
- \*8. **Rescissions** – Orders for the following facilities are proposed to be rescinded because the facility discharge has ceased or the facility is no longer in operation, or because the project is completed and WDRs are no longer required.  
{Jun Martinez 951/782-3258 [jmartirez@waterboards.ca.gov](mailto:jmartirez@waterboards.ca.gov)} Order No. R8-2007-0063

**ORANGE COUNTY**

- | <b><u>Order No.</u></b> | <b><u>Facility and Location</u></b>                                                                           | <b><u>Reason for Rescission</u></b>                    |
|-------------------------|---------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 1. 86-009               | Aguinaga Fertilizer Company, Inc.,<br>Composting Facility, Irvine                                             | Facility no longer operating at the site.              |
| 2. R8-2004-0071         | The Irvine Company, Western<br>Spadefoot Toad Mitigation Project                                              | Project has been completed and WDR no longer required. |
| 3. R8-2004-0091         | The Tiger Woods Foundation, Tiger<br>Woods Learning Center, Gilbert<br>Basin, Anaheim                         | The project has been completed.                        |
| 4. R8-2004-0049         | Boeing Realty Corporation, Boeing<br>Integrated Defense Systems, Pacific<br>Gateway Business Park, Seal Beach | The project has been completed.                        |
- \*9. **Centex Homes, Tract Map No. 32786, Riverside County** – Issuance of requirements for discharges of fill to 0.49 acres of un-named ephemeral drainages that are waters of the State, in the City of Lake Elsinore, Riverside County. The affected waters include 0.07 acres of wetlands that are not within federal jurisdiction.  
{Mark G. Adelson 951/782-3234 [madelson@waterboards.ca.gov](mailto:madelson@waterboards.ca.gov)} Order No. R8-2007-0066
- \*10. **Old Stone Heights, L.L.C., Co., Parcel Map No. 30626, Riverside County** – Issuance of requirements for discharges of fill to 0.28 acres of un-named, riparian, ephemeral drainages that are waters of the State, in unincorporated Riverside County, between the cities of Corona and Lake Elsinore. The U.S. Army Corps of Engineers has determined that these drainages are not subject to its jurisdiction.  
{Mark G. Adelson 951/782-3234 [madelson@waterboards.ca.gov](mailto:madelson@waterboards.ca.gov)} Order No. R8-2007-0067

- \*11. **Amendment to Order No. 01-18, Waste Discharge Requirements for Lamb Canyon Sanitary Landfill, Riverside County** – Amendment to allow the use of an engineered alternative to the prescribed design for the leachate collection and removal system portion of the landfill's waste containment system.  
{Dixie Lass 951/782-3295 [dlass@waterboards.ca.gov](mailto:dlass@waterboards.ca.gov)} Order No. R8-2007-0044
12. **Renewal of General Waste Discharge Requirements For Concentrated Animal Feeding Operations (Dairies and Related Facilities) Within the Santa Ana Region, NPDES CAG018001** – The Board will conduct a public hearing to consider adoption of the draft permit.  
{Gary D. Stewart 951/782-4379 [gstewart@waterboards.ca.gov](mailto:gstewart@waterboards.ca.gov)} Order No. R8-2007-0001
13. **Basin Plan Amendment to Incorporate Total Maximum Daily Loads (TMDLs) for Organochlorine Compounds for San Diego Creek and Newport Bay** – The Board will conduct a public hearing to consider adoption of a resolution to amend the Water Quality Control Plan for the Santa Ana River Basin (Basin Plan) to incorporate TMDLs for organochlorine compounds for San Diego Creek, Upper Newport Bay and Lower Newport Bay.  
{Wanda M. Cross 951/782-4468 [wcross@waterboards.ca.gov](mailto:wcross@waterboards.ca.gov)} Resolution No. R8-2007-0024
14. **Administrative Civil Liability Complaint, City of Colton, San Bernardino County** – The Board will consider whether to affirm, reject, or modify the administrative civil liability assessment as proposed in Administrative Civil Liability Complaint No. R8-2007-0055 or refer the matter to the Attorney General for recovery of judicial civil liability.  
{Milasol C. Gaslan 951/782-4419 [mgaslan@waterboards.ca.gov](mailto:mgaslan@waterboards.ca.gov)}
15. **Administrative Civil Liability Complaint, City of Rialto, San Bernardino County** – The Board will consider whether to affirm, reject, or modify the administrative civil liability assessment as proposed in Administrative Civil Liability Complaint No. R8-2007-0016 or refer the matter to the Attorney General for recovery of judicial civil liability.  
{Milasol C Gaslan 951/782-4419 [mgaslan@waterboards.ca.gov](mailto:mgaslan@waterboards.ca.gov)}
16. **Administrative Civil Liability Complaint, City of Riverside, Riverside County** – The Board will consider whether to affirm, reject, or modify the administrative civil liability assessment as proposed in Administrative Civil Liability Complaint No. R8-2007-0047 or refer the matter to the Attorney General for recovery of judicial civil liability.  
{Stephen D. Mayville 951/782-4992 [smayville@waterboards.ca.gov](mailto:smayville@waterboards.ca.gov)}
17. **Administrative Civil Liability Complaint, City of Cypress, Orange County** – The Board will consider whether to affirm, reject, or modify the administrative civil liability assessment as proposed in Administrative Civil Liability Complaint No. R8-2007-0054 or refer the matter to the Attorney General for recovery of judicial civil liability.  
{Mark Smythe 951/782-4998 [msmythe@waterboards.ca.gov](mailto:msmythe@waterboards.ca.gov)}
18. **Administrative Civil Liability Complaint, City of Villa Park, Orange County** – The Board will consider whether to affirm, reject, or modify the administrative civil liability assessment as proposed in Administrative Civil Liability Complaint No. R8-2007-0059 or refer the matter to the Attorney General for recovery of judicial civil liability.  
{Mark Smythe 951/782-4998 [msmythe@waterboards.ca.gov](mailto:msmythe@waterboards.ca.gov)}

19. **Status Report on Rialto-Colton-Fontana Perchlorate Investigation** - Staff will provide an update on the progress of investigation of perchlorate pollution in this area (information item). {Robert Holub 951/782-3298 [rholum@waterboards.ca.gov](mailto:rholum@waterboards.ca.gov)}
20. **Hazardous Waste Incident Report** - Board staff will provide a list of hazardous waste incidents within the Region to the Board (information item). {Kenneth R. Williams 951/782-4496 [kwilliams@waterboards.ca.gov](mailto:kwilliams@waterboards.ca.gov)}
21. **Underground Storage Tanks Corrective Action Plans** – Board staff will provide a list of sites where Corrective Action plans have been submitted for sites within the Region as required by the California Underground Storage Tank Regulations, Title 23, Article 11, Section 2728 (information item). {Kenneth R. Williams 951/782-4496 [kwilliams@waterboards.ca.gov](mailto:kwilliams@waterboards.ca.gov)}
22. **Underground Storage Tanks Site Closure Report** - Board staff will provide a list of site closures that have occurred within the Region as required by the California Underground Storage Tank Regulations, Title 23, Article 11, Section 2728(d) (Information item). {Kenneth R. Williams 951/782-4496 [kwilliams@waterboards.ca.gov](mailto:kwilliams@waterboards.ca.gov)}
23. **State Water Resources Control Board Liaison Report** - This item is for discussion only. No public testimony will be allowed, and the Regional Board will take no formal action.
24. **Executive Officer's Report** (information item). {Gerard J. Thibeault 951/782-3284 [gthibeault@waterboards.ca.gov](mailto:gthibeault@waterboards.ca.gov)}
25. **Regional Board Member Communications** — Board Members may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Regional Board's jurisdiction. There will be no voting or formal action taken.

**Closed Session** — At any time during the regular session, the Regional Board may adjourn to a closed session to:

- a. consider evidence received in an adjudicatory hearing and deliberate on a decision to be reached based on that evidence (Gov. Code Section 11126(c)(3));
- b. consider the appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against a public employee (Gov. Code Section 11126(a)(1));
- c. discuss significant exposure to litigation (Gov. Code Section 11126(e)(2)(B)(i));
- d. discuss whether to initiate litigation (Gov. Code Section 11126(e)(2)(C)(i)); and
- e. discuss initiated litigation in the following matters (Gov. Code Section 11126 (a), (c) (3), and (e)):
  - (1) US EPA, Santa Ana Region v. Orange County Sanitation District (U.S. Dist. Ct., CD Cal.);
  - (2) In re Petitions of Kwikset Locks, Inc. (SWRCB/OCC File Nos. A-1732, 1732(a), 1732(b), 1732(c), and 1732(d));
  - (3) In re Petition of AES Huntington Beach, LLC (SWRCB/OCC File No. A-1775);
  - (4) In re Petition of Surfrider Foundation et al. (SWRCB/OCC File No. A-1776); and
  - (5) In re Own Motion Review of Rialto-Area Perchlorate Contamination (SWRCB/OCC File No. A-1824).
  - (6) Stringfellow Hazardous Waste Site
  - (7) Potential Litigation: discussion of Executive Officer's referral to the District Attorney of Clean Water Act violations for criminal prosecution.

**Adjournment** to the regular meeting of October 12, 2007, at 9:00 a.m., City of Loma Linda, City Council Chambers, 25541 Barton Road, Loma Linda.

#### **NOTICES**

Any person who has a disability and requires reasonable accommodation to participate in this Regional Board Meeting should contact Felipa Carrillo at [fcarrillo@waterboards.ca.gov](mailto:fcarrillo@waterboards.ca.gov) or at 951/782-3285 no later than ten (10) days prior to meeting.

Any person interested in obtaining information and/or providing input regarding pending applications for Water Quality Standards Certification under Section 401 of the Federal Clean Water Act may do so by contacting Mark G. Adelson at 951/782-3234.

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Internet Address: <http://www.waterboards.ca.gov/santaana>

**BOARD INFORMATION SHEET**

**BOARD MEMBERS**

Carole H. Beswick, Chair  
Deborah Neev, Vice Chair  
John Withers  
Seymour D. Van Gundy  
William Ruh  
Mary E. Cramer  
Maurice Gallarda  
Fred Ameri  
Vacant

**APPOINTMENT CATEGORY**

County Government  
Undesignated (Public)  
Water Supply  
Water Quality  
Recreation, Fish and Wildlife  
Irrigated Agriculture  
Water Quality  
Industrial Water Use  
Municipal Government

**REGIONAL BOARD LEGAL COUNSEL**

Erik Spiess, State Water Resources Control Board  
Office of Chief Counsel  
1001 "I" Street, 22<sup>nd</sup> Floor  
Sacramento, CA 95812  
(916) 341-5167

**REGIONAL BOARD SENIOR STAFF**

Gerard J. Thibeault, Executive Officer  
Kurt V. Berchtold, Assistant Executive Officer  
Joanne E. Schneider, Environmental Program Manager  
Robert L. Holub, Supervising Water Resource Control Engineer  
Michael J. Adackapara, Supervising Water Resource Control Engineer  
Gary D. Stewart, Chief of Compliance  
Dixie B. Lass, Chief of Land Disposal  
Steven D. Mayville, Chief of Enforcement  
Wanda Cross, Chief of Basin Planning - Coastal Waters  
Hope A. Smythe, Chief of Basin Planning - Inland Waters  
Mark G. Adelson, Chief of Regional Planning Programs  
Mark E. Smythe, Chief of Stormwater - Coastal  
Milasol C. Gaslan, Chief of Stormwater - Inland  
Jun Martinez, Chief of Permitting  
Ann E. Sturdivant, Chief of SLIC/Department of Defense  
Kenneth R. Williams, Chief of Pollutant Investigations  
Catherine Ehrenfeld, Regional Administrative Officer  
Kevin Heinemann, Information Systems Analyst  
Felipa Carrillo, Executive Assistant

**GENERAL STATEMENT**

The primary duty of the Regional Board is to protect the quality of the waters within the Region for all beneficial uses. This duty is implemented by formulating and adopting water quality control plans for all ground and surface water bodies in the region and by prescribing and enforcing requirements on waste discharges. The specific responsibilities and procedures of the Regional Water Quality Boards and the State Water Resources Control Board are outlined in the Porter-Cologne Water Quality Control Act (Division 7, California Water Code).

The purpose of this meeting is for the Board to obtain testimony and information from concerned and affected parties and make decisions after considering the recommendations made by the Executive Officer.

Whenever possible, lengthy testimony should be presented to the Board in writing one week before the scheduled meeting and only a summary of pertinent issues should be presented orally. For each matter considered, relevant Regional Board files are incorporated into the record.

A copy of the procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Regional Water Board are conducted pursuant to Government Code Section 11400 et seq. and 11513.

#### DISCLOSURE STATEMENT

All persons who actively support or oppose the adoption of waste discharge requirements or NPDES permits pending before the Regional Board, must submit a statement to the board disclosing any contribution of \$250.00 or more to be used in a federal, state, or local election, made by the action supporter or opponent, or his/her agent, within the last twelve months to any Regional Board Member.

Also, all permit applications and all persons who actively support or oppose adoption of a set of waste discharge requirements and/or NPDES permits pending before the Regional Board are prohibited from making contributions of \$250.00 or more to any Board member for three months following a Regional Board decision on the permit application.

#### RIGHT TO PETITION

Any person affected adversely by a decision of the California Regional Water Quality Control Board, Santa Ana Region (Regional Board), may petition the State Water Resources Control Board (State Board) to review the decision. The petition must be received by the State Board within thirty days of the Regional Board's meeting at which the adverse action was taken. Copies of the law and regulations applicable to filing petitions will be provided upon request to the Regional Board.

NOTE: The agenda items are numbered for identification purposes only and will not necessarily be considered in the order listed. The Public Forum item will be limited to one hour.

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California Regional Water Quality Control Board  
Santa Ana Region  
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## **Agenda Announcement**